

HCBS Final Rule Evidentiary Package

Ecumen Pathstone Crossing



Setting information

Setting name: Ecumen Pathstone Crossing	ID # 30425
Street address: 718 Mound Ave., Mankato, MN 56001	Phone: 507-345-4576
Setting website, if applicable: Ecumen Pathstone Living (http://www.ecumenpathstoneliving.org)	Date of site visit: 6/22/2018

Waiver service type

Waiver service	Service type:
<input type="checkbox"/> Alternative Care (AC) <input checked="" type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input type="checkbox"/> Developmental Disabilities (DD)	Customized Living

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 1 Located in a Public or Private Institution	Name of Institution	Pathstone Living

Note: The term people/person (resident for residential settings) refers to people receiving Medicaid HCBS waiver service

General summary

Ecumen Pathstone Crossing is a customized living setting located in Mankato, MN. Mankato is located in southern Minnesota, and it lies in Blue Earth, LeSueur and Nicollet counties. It is Minnesota's fifth largest city outside of the Twin Cities metro area, with the US Census Bureau estimating its population to be 41,720 in 2016. Ecumen Pathstone Crossing is on the Ecumen Pathstone Living campus which offers a continuum of care and is managed by Ecumen, a company specializing in senior housing and service options. The campus offers home care services, customized living and customized living with 24 hour staffing, (they call this memory care), adult day, short term rehabilitation services, and a skilled nursing facility. They are located close to Sibley Park, which is a large community park.

At the time of the attestation, they were providing customized living services to 83 people, 17 of whom were utilizing an Elderly Waiver.

Customized living provider standards/qualifications

Licensure requirements and other state regulations for customized living services clearly distinguish these services/settings from institutional licensure or regulations.

Customized living services are provided in housing with services establishments with the service provider directly licensed as a comprehensive home care provider by the Minnesota Department of Health. Customized Living services provide an individualized package of regularly scheduled health-related and supportive services provided to a person who resides in a qualified, registered housing with services establishment.

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person’s assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide task (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting enrollees with arranging meetings and appointments, assisting with money management, assisting participants with scheduling medical and social services, and arranging for or providing transportation. If socialization is provided, it must be part of the service plan, related to established goals and outcomes and not diversional or recreational in nature.

For more details about the component services, including what is covered and distinctions between each see [Customized Living Component Service Definitions, DHS-6790H \(PDF\)](#).

(<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>)

Minnesota’s Community Based Services Manual (CBSM) provides the following requirements for customized living services:

[CBSM page on Customized Living](#)

(http://www.dhs.state.mn.us/main/id_001787#)

Prong 1 and Prong 2 settings

Meaningful distinction between the facility and HCBS setting

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.

Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Interconnectedness between the facility and the setting in question, including administrative or financial interconnectedness, does not exist or is minimal.</p> <p>The customized living setting has a designated housing manager, nursing staff, life enrichment specialist that plans activities, and its own separate direct care staff. The whole campus is managed by Ecumen, and has one Executive Director.</p>

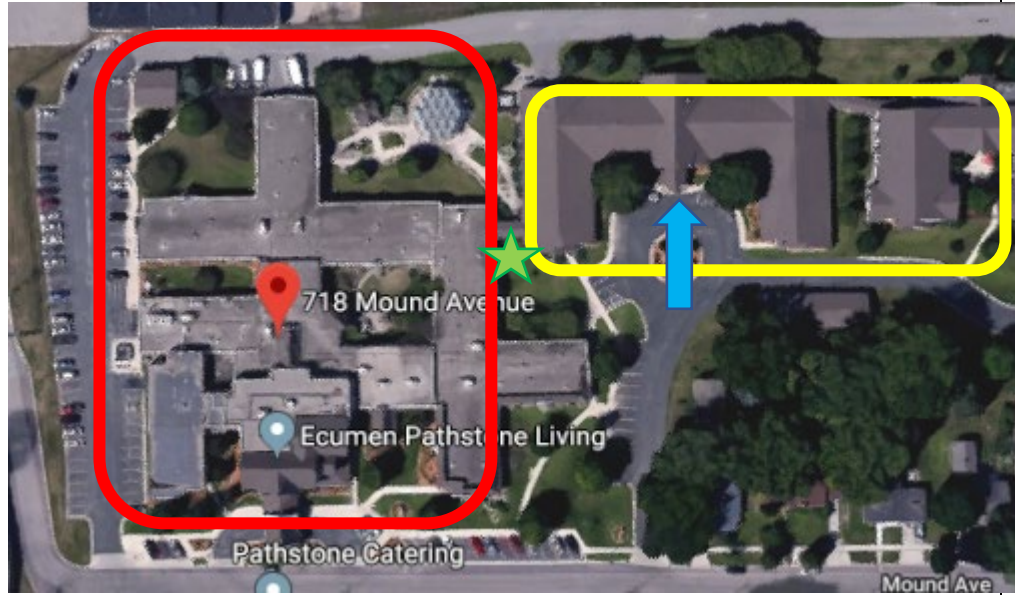
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>To the extent any facility staff are assigned occasionally or on a limited basis to support or back up the HCBS staff, the facility staff are cross-trained to meet the same qualifications as the HCBS staff; (staff training materials that speak of the need to support individuals’ chosen activities), (person centered planning) (the staff is trained specifically for home and community-based support in a manner consistent with the HCB settings regulations.)</p> <p>There is a specialized team of customized living staff and management. The staff at the nursing facility do not work or provide services at the customized living setting. This was stated by both the administrator and the staff person interviewed. If a nursing facility staff person wanted to be scheduled to work at the customized living setting they would receive HCBS training as part of the orientation/training.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Participants in the setting in question do not have to rely primarily on transportation or other services provided by the facility setting, to the exclusion of other options; (Describe the proximity to avenues of available public transportation or an explanation of how transportation is provided where public transportation is limited.)</p> <p>The setting has multiple options for people to choose from when they need transportation. The setting has its own bus which they use for activities and to transport people as needed. In addition, there are volunteer drivers, medical transportations companies, public taxis and ride services like Uber that operate in their area. Family also provides transportation. People are informed of their transportation options when they move in, and a binder is available with contact information. Staff assist with setting up transportation as needed.</p>

- Met
- Unmet
- Not applicable

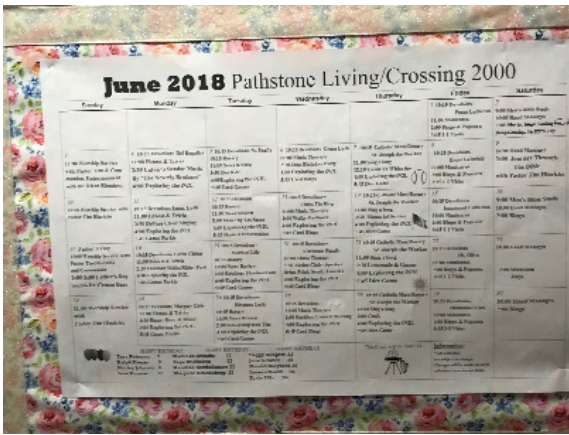
The setting provides HCBS services in a space that is distinct from the space that institutional services are provided.

The customized living setting is separate from the nursing facility, and attached by a hallway.

The customized living setting is outlined in yellow below. The main entrance, which is different from that of the nursing facility is shown with a blue arrow below. The hallway connecting them is indicated by a green star. The nursing facility is outlined in red.



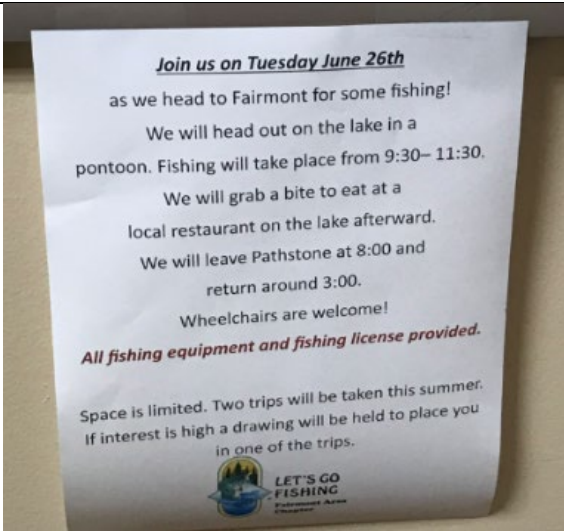
Community engagement opportunities and experiences



Community calendar

Pathstone Crossing has many opportunities to keep people engaged in the wider community and experience new things. When people move in, they meet with staff who explore their interests and what kinds of activities they might like to do. They also give feedback on past activities and give input on future activities through the resident council meetings. People are informed about activities that are available via a monthly calendar they receive. They can also choose to attend activities offered elsewhere on the campus. These calendars are posted, and staff members will remind people of the daily activities during the course of the day. Some of the community experiences offered include:

- Attending “Songs in the Park”
- Going to see the buffalo nearby
- Fishing in Fairmont
- Holiday lights tours
- Attending plays at the local college
- Visits to the Children’s Museum
- Visiting Minneopa State Park to see the waterfalls
- Dining out
- Activities at Sibley park, such as the petting zoo and music



Let's go fishing flyer

People also go out with their families and friends to do the following activities:

- Attend religious services
- Shop
- Get their hair done
- Attend family gatherings and holiday celebrations
- Go out to eat

Onsite activities offered are crafts, bingo, card and dice games, movies, exercise, music and activities in the courtyard.

The setting also has a café that is open to the public and it is frequented by people from the community.

HCBS characteristics

<p>This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.</p>	
HCBS Rule requirement	Compliance status
<p>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The setting provided a HCBS compliant lease agreement as documentation through the provider attestation process. People interviewed said they had a lease for their apartments.</p>	Compliant
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Locks were observed on all of the doors in the setting. People interviewed said they can lock their door if they want privacy and that staff knock before coming in, even if it's not locked.</p>	Compliant
<p>The setting facilitates that a person, <i>who shares a bedroom</i>, is with a roommate of their choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>This is not applicable. There are no shared bedrooms at this site, except for partners/spouses or roommates of their choice.</p>	Compliant
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p>	Compliant

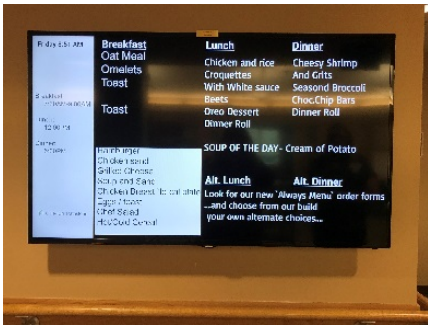
People were interviewed in their apartments, and their units were observed to be decorated with personal items such as photos and memorabilia. People interviewed said they were able to furnish their apartments as they wished.

The setting provides people the freedom and support to control their daily schedules including access to food at any time.

Compliant

Compliant documentation submitted with attestation

Observation made during on-site visit




Computer screen with menu



Onsite cafe

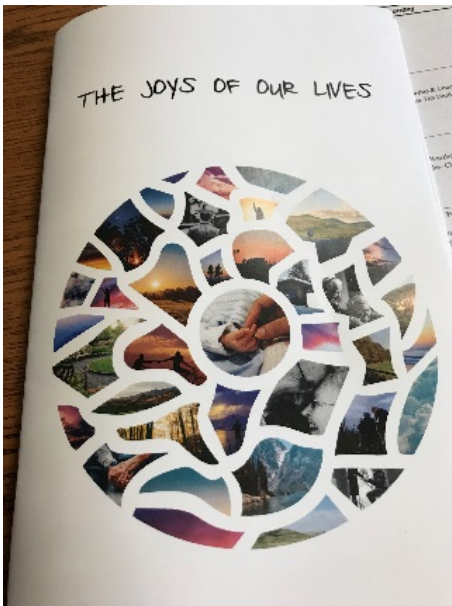
People interviewed said that they feel they have control of their own schedules. One person said “I like to stay busy! They help me when needed to keep me that way”. The people interviewed also indicated that they could have food at any time and knew how to access it. Besides the scheduled meals offered, the setting also offers an “available anytime” ala carte menu. Units all have kitchenettes and refrigerators for food storage. In addition there is café in the building that the people living in the setting can use, as well as people in the community. Menus for the regular meals are shown on computer monitors for in the setting.

<p>The setting allows people to have visitors at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>During the interviews, people interviewed said they could have visitors at any time. One person said she liked having her family over for dinner sometimes. The setting is also a pet friendly site, so visitors can bring their pets.</p> 	<p>Compliant</p>
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff interviewed said there was none of the people living in the setting were working at this time. However, if they were to desire to work, staff would be flexible to support them and their schedule. People interviewed said they did not wish to work at this time. People at the setting have to opportunity to be part of community volunteerism and helping their community. Some are members of the Aktion Club, a service club which is a sub group of the local Kiwanni's Club. This club focuses most of their efforts around kids, packaging food for the BackPack food program, and Kids Against Hunger. They have packaged school supplies and helped to put care packages together for troops.</p>	<p>Compliant</p>

<p>The setting is physically accessible to the individual.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>This setting is physically accessible to people. No barriers were observed. Accessible features such as grab bar in the bathrooms were observed. People interviewed said they felt they could get around their apartments and the buildings without any issues.</p>	<p>Compliant</p>
<p>The setting provides people opportunities to access and engage in community life.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>See Community Engagement section. People are offered many opportunities to access the community. People are told about all of the different options for their healthcare when they move in and given information about different providers in the area. Staff assist people in accessing community providers by helping them schedule appointments and transportation. Both people interviewed had their own medical providers in the community.</p>	<p>Compliant</p>
<p>The setting supports the person’s control of personal resources.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p> <p>Not applicable. This setting doesn’t provide money management services.</p>	<p>Compliant</p>
<p>The setting ensures people’s right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff were observed knocking on people’s doors and waiting for a response before entering their apartments. People interviewed said they felt their privacy was respected at all times.</p>	<p>Compliant</p>

The setting ensures people’s dignity and respect.

- Compliant documentation submitted with attestation
- Observation made during on-site visit



One of the published books

People interviewed said they felt they were treated with respect. One person stated that she loves writing down her life story with volunteers. The administrator told me about the program she was referencing, which is called “Our Life Story Through Creative Writing”. Each person writes their life story down, often with help from a one on one volunteer and facilitated by a local college student. Then they are typed up and put in a binder for them to keep. Once a year they invite the community to come and listen to some of these stories, which are bound into a book for the event. The person interviewed said this makes her feel important that people want to hear her story. She also said that she would never want to live anywhere else.

Compliant

The setting ensures people’s freedom from coercion and restraint.

- Compliant documentation submitted with attestation
- Observation made during on-site visit

Staff are trained on the Minnesota Home Care Bill of Rights and the Minnesota Vulnerable Adults Act. A copy of the Home Care Bill of Rights is also given to people to inform them of their right to be free from coercion and restraint.

Compliant

The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.

Compliant documentation submitted with attestation

Observation made during on-site visit

When asked if they feel they have choices about their life, people responded yes, that they feel they can make choices about their day to day schedule. One person interviewed said that there are so many great choices and that this setting is “The Cadillac of Mankato”. A person said one of their favorite activities is “using the big computer”. When I asked the administrator about the program, she said it’s the “It’s never too late 2 learn” program. It’s a computer program that can help personalize learning for seniors in a fun way. Specific interests can be highlighted, as well as cognitive improvement tools. Their photos can be put on it to personalize it. See photo of an example of a person’s page.



Compliant

Pictures of the HCBS setting



One of the lounges



Courtyard area



Dining room



Patio area

Public comment summary

The Minnesota Department of Human Services (DHS) did not receive public comments for this setting.

DHS sought public comment from April 30, 2019, to June 9, 2019, before submitting settings to the Centers Medicare & Medicaid Services (CMS) for heightened scrutiny.

We sought public comments using the following methods:

- Evidentiary packages posted online on the [Home and Community Based Services Rule transition plan page](#)
- Evidentiary packages specific to each setting posted in a common area of the setting
- Notice of public comment period via [May 10, 2019, eList announcement](#)
- Notification to lead agencies via regional resource specialists
- Notification to providers via email
- Notification to managed care organizations and Area Agencies on Aging (AA) via email
- Notification to long-term care ombudsman office via email
- Disability Hub MN virtual insight panel.

Minnesota's recommendation

Date of recommendation: 7/1/2019

Minnesota supports that this setting overcomes the institutional presumption and meets the requirements of a home and community-based setting. Provider is required to maintain on-going compliance with all HCBS requirements.